

REMARKS

The following remarks are in response to Fourth Office Action dated October 4, 2005. As reflected above, claims 1, 6-20, 22-26, 31-45 and 47-50 are now pending in this application. Before addressing the merits of the Action, Applicants wish to thank Examiner for indicating the pending claims would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, 2nd paragraph, set forth in Fourth Office Action.

Objection to Specification:

The disclosure was objected to because of informalities. Applicants have amended p. 10, lines 23-28 of the specification to correct the objected to informalities.

Objections to Claims:

Claims 9-20, 23, 25-26, 31-45, and 47-50 were objected to because of informalities. Applicants have amended claims 9, 15, 16, 23, 26, 34, 40, and 41 as requested by Examiner to correct the objected to informalities.

Rejection to Claims under 35 U.S.C. 112, 2nd Paragraph

Claims 1, 6-20, 22-26, 31-45, and 47-50 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 was amended to include "to define said one or more communications channels".

Claims 1, 22, 2, and 47 were amended to change "type" to "waveform type".

Claims 1 and 26 were also amended to change “amplitude and a waveform type” to “amplitude or a waveform type”.

Claims 15, 16, 40, and 41 were amended to more particularly define the invention such that the minimum value difference is “from said at least one non-temporal characteristic value” and the maximum value difference is “from said at least one non-temporal characteristic value”. To further assist Examiner, Applicants note that claims 15 and 40 relate to non-allowable regions 414 and 416 of FIG. 4A and claims 16 and 41 relate to non-allowable regions 418 of FIG. 4A, where the terminology “minimum delta” and “maximum delta” are used as opposed to “minimum value difference” and “maximum value difference”. A discussion of non-allowable regions and rules for establishing them is provided in Section III of the specification beginning on page 18.

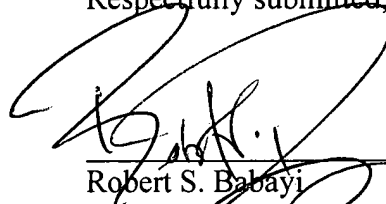
Claims 6, 8, 9, 17, 18, 23, 24, 31, 33, 34, 42, 43, 48, and 49 were amended to address a lack of antecedent basis of “the code element value” and other inconsistencies such that the claims now refer to “said at least one code element value” that has antecedent basis in claims 1 and 26.

Conclusion:

In view of the above, it is respectfully submitted that all pending claims are now in allowable condition. Early issuance of a Notice of Allowance is respectfully solicited.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arrange for such an interview.

Respectfully submitted,



Robert S. Babayi
Registration No. 33,471

VENABLE

P.O. Box 34385

Washington, D.C. 20043-9998

Telephone: (202) 344-4800

Facsimile : (202) 344-8300

4-26-06

Date

PCDOC# 738887